UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,096	03/31/2004	Ying Yu Kuo	88910-109	5658

22504   7590   06/23/2009
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EXAMINER
ZUBAJLO, JENNIFER L

ART UNIT	PAPER NUMBER
2629	

MAIL DATE	DELIVERY MODE
06/23/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 May 2009_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-13_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-13_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which the subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Martin Meckesheimer (Pub. No.: US 2005/0162396 A1) in view of Philippe Junod

(Patent No.: US 5,854,621).

As to claims 1 and 7, Meckesheimer teaches a wireless input method and

system for constituting identification code utilized in a wireless input device, in which the

wireless input device is composed of a wireless transmitting device unequipped with

memory and a wireless receiving device, wherein the wireless receiving device being

electrically connected to a computer, and the method comprising following steps: (A)

storing a predetermined identification code in a non-volatile memory of the wireless

receiving device (see [0027] & figure 1A – memory 18, receiver 13, and ID code 15 –

note that Examiner is taking Official Notice to the memory being non-volatile because it

is common and well known in the art for a wireless receiving device to have nonvolatile

memory for storing data); (B) using a micro controller of the wireless transmitting device

unequipped with memory to send a packet, which contains an identification code

generated automatically by the micro controller of the wireless transmitting device, to

the wireless receiving device during the wireless transmitting device whose value is

based on the identification code stored in the nonvolatile memory of receiving device

being set up for the first time and the identification code comprising the same value as

the predetermined identification code (see [0049], [0051], & figure 1A – transmitter 11);

(C) receiving the packet in step B by the wireless receiving device (see [0027] & [0049]

– signal 50 (packet) contains ID code).

Meckesheimer does not directly teach detecting by the computer if the wireless

receiving device in step C can receive normally via executing program codes, and

reading data from the non-volatile memory of the wireless receiving device by the

computer via executing the program codes in case of normal receiving being detected,

comparing the predetermined identification code to the read data and the computer

outputting a message of the wireless input device being normally operated if a result

being true after comparison; whereby, after completing the set-up for the first time, an

user of the wireless input device can confirm the wireless input device having been

normally set up already via the output message of the computer.

Junod teaches (D) detecting by the computer if the wireless receiving device in

step C can receive normally via executing program codes, and reading data from the

non-volatile memory of the wireless receiving device by the computer via executing the

program codes in case of normal receiving being detected, comparing the

predetermined identification code to the read data and the computer outputting a

message of the wireless input device being normally operated if a result being true after

comparison; whereby, after completing the set-up for the first time, an user of the wireless input device can confirm the wireless input device having been normally set up already via the output message of the computer (see column 7 line 52—column 8 line 23 & column 9 lines 6-38 - note validity indicates true after comparison results and the output message is the blinking of the LED).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the detection of the wireless receiving device taught by Junod into the wireless input system and method taught by Meckesheimer in order to allow a receiver to differentiate between multiple transmitters.

As to claims 2 and 8, the combination of Meckesheimer and Junod teach the method and system as defined in claims 1 and 7 respectively (see above rejection). Junod further teaches wherein the output message is shown on a display (see column 7 line 52—column 8 line 23 – note blinking of the LED). Also, Meckesheimer teaches display output (see figure 1A).

As to claims 3 and 9, the combination of Meckesheimer and Junod teach the method and system as defined in claims 1 and 7 respectively (see above rejection). Junod teaches wherein the wireless transmitting device is one of a wireless mouse transmitting device, a wireless keyboard transmitting device, a wireless joy stick transmitting device and a wireless pointing transmitting device (see Abstract, column 2 lines 51-56, column 3 lines 2-9, column 4 lines 13-19).

As to claims 4 and 10, the combination of Meckesheimer and Junod teach the method and system as defined in claims 1 and 7 respectively (see above rejection). Junod teaches wherein the wireless receiving device is one of a wireless mouse receiving device, a wireless keyboard receiving device, a wireless joy stick receiving device and a wireless pointing receiving device (see Abstract, column 2 lines 51-56, column 3 lines 2-9, column 4 lines 13-19).

As to claims 5 and 11, the combination of Meckesheimer and Junod teach the method and system as defined in claims 1 and 7 respectively (see above rejection). Meckesheimer teaches wherein after the message of the wireless input device normally working being output in step D, the method further comprises a further step: (E) directing the user to change a new identification code with a value different from that of the predetermined identification code via executing the program codes by the computer, wherein the new identification code being automatically generated from the micro controller of the wireless transmitting devices and the non-volatile memory of the wireless receiving device being used for storing the new identification code; whereby, the packets can be prevented from being interfered during the wireless receiving device carrying out receiving work (see [0027]). This limitation is also taught by Junod (see Abstract).

As to claims 6, 12, and 13, the combination of Meckesheimer and Junod teach

the method and system as defined in claims 1 and 7 respectively (see above rejection).

Junod teaches allowing the non-volatile memory of the receiving device to store the

predetermined identification code via executing the program codes by the computer

wherein a driver is composed of the program codes (see column 19-38).

Note: References cited include just some examples that Examiner feels best explain

the prior art rejection. However, the entire references teach the scope of the claims in

more detail. Examiner recommends that Applicant read the full disclosures.

Response to Arguments

3.   Applicant's arguments filed 5/7/09 have been fully considered but they are not

persuasive.

Applicant argues that "Meckesheimer reference does not, however, disclose

generating the identification code. Instead, Meckesheimer teaches "generating the

signal" that is transmitted and not necessarily the identification code". Examiner

disagrees. Paragraph [0049] of Meckesheimer states "a controller may be coupled to

the transmitter for generating the signal 50, wherein the signal 50 comprises one or

more identification codes", which makes obvious that the ID code is also generated.

Since the signal (which contains the ID code(s)) is generated by the controller, it would

be obvious that anything contained in this signal is also generated when the signal is

generated.ID code(s)).

Applicant argues that "Meckesheimer also does not disclose that the identification code is based on the value stored in the receiving device." Examiner disagrees. Paragraph [0051] of Meckesheimer states "generating a signal having one or more placard identification codes and a customer specific message associated with each of the placard identification codes from a database", which makes obvious that "identification code is based on the value stored in the receiving device". The ID codes in Meckesheimer are based on customer specific message associated with each of the placard identification codes from a database, and this database would obviously be stored in a memory which would be in the receiving device.

Therefore, paragraphs [0049] and [0051] of Meckesheimer do teach the limitations of claims 1 and 7 "identification code [being] generated automatically by the micro controller ... whose value is based on the identification code stored in the non-volatile memory of receiving device ...".

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pub. No.: US 2005/0200594 A1 and US 2003/0160767 A1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER ZUBAJLO whose telephone number is (571)270-1551. The examiner can normally be reached on Monday-Friday, 8 am - 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Amare Mengistu can be reached on (571) 272-7674. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jennifer Zubajlo/
Examiner, Art Unit 2629
6/16/09

/Amare Mengistu/
Supervisory Patent Examiner, Art Unit 2629